

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

**BUILDING CONSTRUCTION
ENTERPRISES, INC.**

PLAINTIFF

v.

CASE NO. 3:06-CV-00092 GTE

**GARY MEADOWS
CONSTRUCTION CO., INC.**

DEFENDANT/

THIRD PARTY PLAINTIFF

v.

**SAFECO INSURANCE COMPANY
OF AMERICA**

THIRD PARTY DEFENDANT

ORDER

Presently before the Court is Gary Meadows Construction Co., Inc.'s Motion for Voluntarily Dismissal of Third Party Defendant Safeco Insurance Company of America. Third Party Plaintiff withdraws its objections to Safeco's Motion to Dismiss and moves for voluntary dismissal of its Third Party Complaint against Safeco.

Accordingly,

IT IS THEREFORE ORDERED that the Motion for Voluntarily Dismissal of Third Party Defendant Safeco Insurance Company of America (Dkt. #27) be, and it is hereby, GRANTED.

IT IS FURTHER ORDERED THAT the Safeco's Supplemental Motion to Dismiss or, Alternatively, for Transfer (Dkt. #24) be, and it is hereby, GRANTED.

IT IS FURTHER ORDERED THAT the Third Party Complaint (Dkt. #11) filed by Gary Meadows Construction Co., Inc. be dismissed without prejudice.

Dated this 12th day of February, 2007.

/s/Garnett Thomas Eisele
UNITED STATES DISTRICT JUDGE